

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANCESCO GALLO,

Plaintiff,

-against-

ALITALIA – LINEE AEREE ITALIANE –  
SOCIETA PER AZIONI, PIERANDREA GALLI,  
and GIULIO LIBUTTI,

Defendants.

Case No. 07 CV 06418 (CM)(RLE)

**SUPPLEMENTARY AFFIRMATION  
OF ALAN M. KORAL IN SUPPORT  
OF DEFENDANTS' MOTIONS FOR  
SUMMARY  
JUDGMENT**

ALAN M. KORAL, an attorney duly admitted to practice before this Court and the courts of the State of New York, affirms upon penalty of perjury that the following statements are true:

1. I am a shareholder with the firm of Vedder Price P.C., 1633 Broadway, New York, New York 10019, counsel for defendants Alitalia Linee Aeree Italiane, S.p.A. ("Alitalia"), Pierandrea Galli ("Galli") and Giulio Libutti ("Libutti")(collectively "Defendants") in the above-captioned action. I submit this Supplementary Affirmation in support of Defendants' respective motions for Summary Judgment,<sup>1</sup> pursuant to FRCP 56, for dismissal of all claims in the Amended Complaint of plaintiff Francesco Gallo ("Plaintiff"). I am fully familiar with the facts and circumstances set forth herein.

2. The purpose of this Affirmation is to place before the Court two documents that are referred to in Defendant Alitalia's Reply Memorandum of Law in support of its Motion for

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<sup>1</sup> There are two motions for summary judgment, one submitted by defendant Alitalia and one submitted by the individual defendants Galli and Libutti. This affirmation relates to the Alitalia motion. .

Summary Judgment. These documents were not submitted as exhibits to my prior Affirmation in support of Alitalia's (and the individual defendants') summary judgment motions.

3. Attached hereto as Exhibit 1 is a copy, in minuscrit form, of page 81 of the January 7, 2008 deposition of Plaintiff taken in *Lorusso v. Alitalia*, 07 CV 3583, a case with which the Court ordered the instant case coordinated for discovery purposes. .

4. Attached hereto as Exhibit 2 is a true and correct copy of a letter dated September 7, 2006, from Andrea Porru to Plaintiff, bearing the Bates stamp number A 00037. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: July 7, 2008  
New York, New York

/s/ Alan M. Koral  
Alan M. Koral

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**CERTIFICATE OF SERVICE**

I, Alan M. Koral, hereby declare, pursuant to 28 U.S.C. 1746, under penalty of perjury, that on July 7, 2008, I caused a copy of the **SUPPLEMENTARY AFFIRMATION OF ALAN M. KORAL** to be served upon Plaintiff by electronically filing same, thereby ensuring that Plaintiff's attorney, Derek T. Smith, Esq. of Akin & Smith, LLC, received same because he is a registered e-filer and registered to receive e-notices in this case.

DATED: July 7, 2008

s/ Alan M. Koral

Alan M. Koral